

DECISION OF THE DISCIPLINE, INTERPRETATION,
AND ENFORCEMENT BOARD

REQUEST FOR INTERPRETATION

DATE:

Sunday December 1, 2002

D.I.E. BOARD MEMBERS PRESENT:

Chris Samuel, Chair

Lucas Lau

William McBeath

Deborah Philips

Jason Tobias

INTERPRETATION SOUGHT BY:

Steve Smith, VP Operations and Finance

ISSUE:

Does the Students' Union's political policy on National Organization of Students meet the definition of "political policy" set out in the *Legislation Bylaw* of the Students' Union?

DECISION:

Yes- the Students' Union's political policy on *National Organization of Students* meets the definition of "Political Policy" set out in Bylaw 400- *A Bylaw Respecting the Legislation of the Students' Union*.

Paraphrasing Mr. Smith's concerns, he believes that a Political Policy, as defined in Bylaw 400 Section 2b, cannot force the Students' Union to act. If a Political Policy requires any action on the part of the Students' Union, the policy is then an Operating Policy, conforming to the definition of an Operating Policy as defined in Bylaw 400 Section 2a, and not a Political Policy.

The D.I.E. Board believes, however, that the distinguishing feature between an Operating Policy and a Political Policy is not whether one requires action. In fact, upon reviewing other political policies of the Students' Union, it was determined that many of them require action on the part of the Students' Union, such as "lobbying the municipal, provincial and federal governments for increased public funding of student housing" or "opposing the inclusion of education in GATS". Consequently, both operating policies and political policies can force the Students' Union to act and still be within the purview of their respective definitions.

Furthermore, the D.I.E. Board believes that the intent of Bylaw 400 Sections 2a and 2b is to define Operating Policy and Political Policy in contrast to each other. That is, an Operating Policy deals with non-political issues while a Political Policy deals with non-operating issues.

RECOMMENDATION:

In order to avoid this confusion in the future, the D.I.E. Board recommends the following revision to Bylaw 400 Section 4b:

“Political Policy” means an expression of the sentiments or principles of the Students’ Council, and any action to be taken by Students’ Council to fulfill these sentiments or principles; ~~with respect to a specific non-operational issue;~~